

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Patent Application of:

Jake HILL, *et al.*

Docket No.: LSN-36-1578

Serial No. 09/805,376

T.C./A.U.: 2135

Filed: March 14, 2001

Examiner: T. B. Truong

For: INTERFACE DEVICE

Conf. No.: 1537

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July 23, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR WITHDRAWAL OF “FINAL”
DESIGNATION TO LAST OFFICE ACTION AND
SUMMARY OF TELEPHONE INTERVIEW WITH EXAMINER**

The office action dated July 11, 2008, has been designated “final” based on the assertion that applicants’ amendment of August 7, 2007, has necessitated the new grounds of rejection presented for the first time in the last office action.

However, that does not appear to have been possible since the only amendment made on August 7, 2007, was to require the first and second external hardware interfaces to be pluggable in connection to external hardware.

The Examiner continues to assert that the earlier applied prior art (Hair ‘349) teaches the “pluggable” feature. The newly cited prior art is cited for an entirely different proposition that was not the subject of any prior amendment. Accordingly, the shift in ground for rejection cannot possibly have been necessitated by applicants’ earlier amendment.

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In addition, the Examiner is reminded of an Examiner-initiated telephone interview on July 2, 2008, during which the Examiner indicated that dependent claims 4 and 28 were directed to allowable subject matter. Although the applicants declined the Examiner's offer to allow the case if such dependent claim limitations were incorporated into the independent claims, since all of the prior art now being relied upon was already of record at that time (July 2, 2008) – and since no new art was cited and no apparent search for any new art was performed before the Examiner prepared the latest office action (see the date of July 3, 2008, at page 7), the Examiner is queried as to whether the outstanding office action is complete with respect to the discussion of the claims that had earlier been indicated to contain allowable subject matter.

In any event, withdrawal of the “final” designation of the outstanding office action is respectfully requested because it was clearly not necessitated by any amendment made by the applicants in the last response.

Respectfully submitted,

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